

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application.

Claims 1, 2, 4, 5, 7-10, 12 and 17-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Newman. Claim 1 recites, “a photographing unit which photographs a plurality of character images using a continuous photographing operation in which a continuous still image is captured and automatically divided into the plurality of character images, wherein each character image comprises a plurality of characters.” Claim 1 further requires that individual characters of the plurality of characters in each character image are extracted, recognized and converted to character information. Therefore, claim 1 requires the capture of a continuous still image, the automatic division of the continuous still image into a plurality of character images (each comprising a plurality of characters), and extracting, recognizing and converting to character information individual characters in each character image.

Claim 1 requires a continuous photographing operation in which a continuous still image *captured*. The Office action asserts that Newman teaches a CCD camera and thus “has the capability to capture” a continuous still image. Newman, however, does not teach that a continuous still image is ever captured by the CCD camera. The Office action further asserts that Newman discloses the concept of a continuous still image at FIG. 4, S2. The cited step recites, “set viewfinder to update continuously from imaging array.” Merely updating a viewfinder from an imaging array does not “capture” that which is displayed on the viewfinder. An image is “captured” when it is retained, such as within a memory. The cited step displays the output from an imaging array but does not capture any image. Indeed, Newman specifically discloses a CAPTURE routine (see 4:63-64 and FIG. 6). Newman’s CAPTURE routine is

explained in FIG. 6, which teaches that the contents of the imaging array are transferred to an “image store” in memory and the image is frozen on the viewfinder. Moving image data to memory to freeze an image on a display is an example of “capture,” which requires the retention of an image. However, the images captured by Newman’s CAPTURE routine are not continuous still images.

Further, neither the images displayed on the continuously updated viewfinder nor the images obtained by the CAPTURE routine are divided into a plurality of character images (each comprising a plurality of characters). Claim 1 requires that a continuous still image is divided into plural other images each having a plurality of characters. Newman does not teach such image division.

Further, in claim 1, individual characters of the plurality of characters in each character image are extracted, recognized and converted to character information. In Newman, OCR is performed on a single captured image, and not on plural character images that are divided out of a continuous still image.

Claim 1 recites, “a display that simultaneously displays a cursor, which includes the character frame, with the continuous still image at the time of capturing the continuous still image.” The device of claim 1 simultaneously displays a cursor, which includes a character frame, with the continuous still image at the time of capturing the continuous still image. The displayed cursor includes the character frame. Therefore, the character frame is displayed simultaneously with the continuous still image at the time of capturing the continuous still image. The character frame, for example, can help a user to properly align text when capturing the continuous still image. Newman teaches cursor crosshairs, and also teaches highlighting text in a *previously captured* image (7:12-35). However, Newman does not teach a cursor that

includes a character frame, nor the simultaneous display of a character frame with an image at the time of capturing the image.

As best understood by the Applicants, the Office action cites Newman's viewfinder for a character frame that is displayed at the time of capturing an image. The viewfinder is a display, not a character frame. ("The portable imaging device 2 includes a viewfinder or display 4...the viewfinder 4 is a flat panel display, such as a conventional LCD..." 3:20-26). Claim 1 requires that a cursor including the character frame is displayed on a display. Newman's viewfinder, which itself is a display, is not displayed a display (as required of the claimed character frame). Again, Newman does not teach a character frame that is displayed with an image at the time of capturing the image, as required by claim 1.

In view of the deficiencies of Newman, applicants respectfully submit that claim 1 is not anticipated by Newman. Claims 2 and 4 depend from claim 1. The arguments provided above with respect to claim 1 also apply to claims 5 and 19. Claims 7-10, 12, 17 and 18 depend from claim 5, and claim 20 depends from claim 19. Applicants respectfully submit that claims 2, 4, 5, 7-10, 12 and 17-20 are not anticipated by Newman.

Claims 3 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Newman in view of Butterworth. Claim 3 depends from claim 1 and claim 16 depends from claim 5. Therefore, the arguments provided above with respect to claim 1 also apply to claims 3 and 16. Applicants respectfully submit that claims 3 and 16 are allowable over the cited combination of references.

Claims 11, 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Newman in view of Hou. Claims 11, 13 and 14 depend from claim 5. Therefore, the arguments provided above with respect to claim 1 also apply to claims 11, 13 and 14. Applicants

respectfully submit that claims 11, 13 and 14 are allowable over the cited combination of references.

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Newman in view of Ohsawa. Claim 15 depends from claim 5. Therefore, the arguments provided above with respect to claim 1 also apply to claim 15. Applicants respectfully submit that claim 15 is allowable over the cited combination of references.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-37577.

Respectfully submitted,
PEARNE & GORDON, LLP

By: 
Brad C. Spencer – Reg. No. 57,076

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: April 13, 2009